The specification of which



MERCHANT & GOULD P.C.



United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: OPTICAL IMAGING SYSTEM

a. is attached hereto				
b. was filed on	as application serial	no and v	was amended on	
	of a PCT-filed application) described			
and as amended on	(if any), which I have	reviewed and for which I soli	cit a United States patent.	
		f the above-identified specific	ation, including the claims, as amended	
by any amendment referred	l to above.			
			The state of the second second state (PM). 27	
	disclose information which is material	to the patentability of this app	discation in accordance with Title 37,	
Lode of rederal Regulation	ns, § 1.56 (attached hereto).			
- ·	rity benefits under Title 35, United St	ates Code 8 119/365 of any fo	areign application(s) for patent or	
	below and have also identified below			
	e application on the basis of which pri		ioni di mitonidi di dinimati mating a	
		,		
a no such applications	have been filed.	•	•	
such applications have been filed as follows:				
			·	
3	FOREIGN APPLICATION(S), IF ANY,	CLAIMING PRIORITY UNDER	35 USC § 119	
COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE	
Ŋ		(day, month, year)	(day, month, year)	
Japan	2001-030651	7 February 2001		
g)			·	
AI	L FOREIGN APPLICATION(S), IF ANY,	FILED BEFORE THE PRIORITY	APPLICATION(S)	
COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE	
		(day, month, year)	(day, month, year)	
			1	
I hereby claim the henefit i	under Title 35 United States Code &	120/365 of any United States	and PCT international application(s)	

application and the national or PCT international filing date of this application.				
U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)		

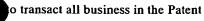
listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)	

or patent agent(s) to prosecute this application

I hereby appoint the following attorney(s) and Trademark Office connected herewith:



Albrecht, John W.	Reg. No. 40,481	Kowalchyk, Alan W.	Reg. No. 31,535
Ali, M. Jeffer	Reg. No. 46,359	Kowalchyk, Katherine M.	Reg. No. 36,848
Anderson, Gregg I.	Reg. No. 28,828	Lacy, Paul E.	Reg. No. 38,946
Batzli, Brian H.	Reg. No. 32,960	Larson, James A.	Reg. No. 40,443
Beard, John L.	Reg. No. 27,612	Liepa, Mara E.	Reg. No. 40,066
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Black, Bruce E.	Reg. No. 41,622	Lycke, Lawrence E.	Reg. No. 38,540
Branch, John W.	Reg. No. 41,633	McAuley, Steven A.	Reg. No. 46,034
Bremer, Dennis C.	Reg. No. 40,528	McDonald, Daniel W.	Reg. No. 32,044
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Campbell, Keith	Reg. No.P-46,597	Pauly, Daniel M.	Reg. No. 40,123
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Edell, Robert T.	Reg. No. 20,187	Schumann, Michael D.	Reg. No. 30,422
Bpp Ryan, Sandra	Reg. No. 39,667	Scull, Timothy B.	Reg. No. 42,137
Glance, Robert J.	Reg. No. 40,620	Sebald, Gregory A.	Reg. No. 33,280
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Golla, Charles E.	Reg. No. 26,896	Spellman, Steven J.	Reg. No. 45,124
Gorman, Alan G.	Reg. No. 38,472	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Gould, John D.	Reg. No. 18,223	Sumner, John P.	Reg. No. 29,114
Gregson, Richard	Reg. No. 41,804	Swenson, Erik G.	Reg. No. 45,147
Gresens, John J.	Reg. No. 33,112	Tellekson, David K.	Reg. No. 32,314
Hamer, Samuel A.	Reg. No. P-46,754	Trembath, Jon R.	Reg. No. 38,344
Hamre, Curtis B.	Reg. No. 29,165	Underhill, Albert L.	Reg. No. 27,403
Harrison, Kevin C.	Reg. No.P-46,759	Vandenburgh, J. Derek	Reg. No. 32,179
Hertzberg, Brett A.	Reg. No. 42,660	Wahl, John R.	Reg. No. 33,044
Hillson, Randall A.	Reg. No. 31,838	Weaver, Karrie G.	Reg. No. 43,245
Holzer, Jr., Richard J.	Reg. No. 42,668	Welter, Paul A.	Reg. No. 20,890
Johnston, Scott W.	Reg. No. 39,721	Whipps, Brian	Reg. No. 43,261
Kadievitch, Natalie D.	Reg. No. 34,196	Wickhem, J. Scot	Reg. No. 41,376
Karjeker, Shaukat	Reg. No. 34,049	Williams, Douglas J.	Reg. No. 27,054
Kastelic, Joseph M.	Reg. No. 37,160	Witt, Jonelle	Reg. No. 41,980
Kettelberger, Denise	Reg. No. 33,924	Wu, Tong	Reg. No. 43,361
Keys, Jeramie J.	Reg. No. 42,724	Xu, Min S.	Reg. No. 39,536
Knearl, Homer L.	Reg. No. 21,197	Zeuli, Anthony R.	Reg. No. 45,255
•		•	-

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

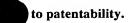
Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903 I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wantul false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name TOYAMA	First Given Name Minoru		Second Given Name
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	. & Citizenship	Osaka	Japan		Japan
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Signature of Inventor 201: Mimory ToyAMA Date:				January 22, 2002	
	Full Name	Family Name	First Given Name		Second Given Name
2	Of Inventor	КІТТАКА	Shigeo		
0	Residence	City	State or Foreign Country		Country of Citizenship
	& Citizenship	Osaka	Japan		Japan
2	Post Office	Post Office Address			State & Zip Code/Country
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Sign	Signature of Inventor 202: Shigeo Kittaka Date: January 22, 2002				

§ 1.56 Duty to disclose information ma

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- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - prior art cited in search reports of a foreign patent office in a counterpart application, and (1)
- the closest information over which individuals associated with the filing or prosecution of a patent **(2)** application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - Opposing an argument of unpatentability relied on by the Office, or (i)
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the meponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with The specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - Each inventor named in the application: **(1)**
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- Every other person who is substantively involved in the preparation or prosecution of the application and (3) who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.